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PATENT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant: LaBarbera et al. : Paper No:
Serial No. 10/018,716 : Group Art Unit: 3761
Filed: March 28, 2002 : Examiner: Maria Marvich
For: DISPENSING DEVICE AND METHOD FOR FORMING MATERIAL

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action, dated October 4, 2004, setting forth a restriction requirement in the above patent application, please consider the following remarks.

In the Office Action, the Examiner has requested that the Applicant make an election between the following three groups of claims, which the Examiner contends represent three independent or distinct inventions. Applicants believe that there may be a typographical error in the Examiner's grouping of claims. The Examiner has assigned claims 1-39 to Group I, drawn to a composition for use in regulating hormones of a host. The Examiner has assigned claims 31-64 to Group II, drawn to a method of regulating the fertility of a host. Claims 31-39 are assigned to both Groups I and II. In reviewing the claims of this application, claims 1-30 are those claims directed a composition for use in regulating hormones of a host and claims 31-64 are drawn to a method of regulating the fertility of a host. With that being the case, it appears that the Examiner has intended to group the claims as follows:



Certificate of Mailing

The undersigned certifies that this correspondence was deposited with the U.S. Postal Service with sufficient postage as EXPRESS MAIL and addressed to Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450" on November 2, 2004.

Aaron B. O'Dom